

1 **MINUTES OF THE MEETING OF THE**
2 **SABINE RIVER AUTHORITY**
3 **STATE OF LOUISIANA**
4 **BOARD OF COMMISSIONERS**
5 **PENDLETON BRIDGE OFFICE**
6 **15091 TEXAS HIGHWAY**
7 **MANY, LA 71449**
8 **1:00PM THURSDAY, JUNE 28TH 2018**
9

10 **MEMBERS PRESENT:** **Mr. Byron Gibbs, Chairman**
11 **Mr. Stanley Vidrine, Vice-Chairman**
12 **Mrs. Estella Scott, Secretary**
13 **Mr. Norman Arbuckle**
14 **Mr. Valmore Byles**
15 **Mr. Daniel Cupit**
16 **Mr. Ned Goodeaux**
17 **Mr. Therman Nash**
18 **Mr. Mike McCormic**
19 **Mrs. Dayna Yeldell**
20

21 **MEMBERS ABSENT:** **Mr. Jeremy Evans**
22 **Mr. Jimmy Foret**
23 **Mr. Allen Jeane**
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26 **OTHERS PRESENT:** **Warren Founds, III, Executive Dir-SRA, Many, LA**
27 **Becky Anderson, Adm Asst 5-SRA, Many, LA**
28 **Mike Carr, Fac Maint Mgr 3-SRA, Many, LA**
29 **Kellie Ferguson, Adm Prog Dir 3-SRA, Many, LA**
30 **Gene Guidry, Eng 6-SRA, Many, LA**
31 **There were (10) visitors.**
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34 Mr. Gibbs called the meeting to order. Mr. Nash offered the Prayer and Mr.

35 Gibbs led the Pledge. The roll was called and it was noted that Mr. Evans, Mr. Foret and
36 Mr. Jeane were absent; however, a quorum was established.

37 Mr. Gibbs asked if there were any additions or deletions to the circulated agenda.

38 Hearing none, he asked for a motion to adopt the circulated meeting agenda. **Mr.**

39 **Vidrine moved, seconded by Mr. Arbuckle to adopt the amended agenda. Motion**
40 **carried unanimously.**

41 Mr. Gibbs stated that the minutes of the April 26th 2018 meeting were in the

42 packet and asked if there were any corrections; hearing none, Mr. Gibbs asked for motion

43 to approve the minutes. **Mr. Nash moved, seconded by Mr. Arbuckle to approve the**

44 **minutes of the Board meeting of April 26th 2018 meeting as circulated. Motion**
45 **carried unanimously.**

46 **SPECIAL REPORTS: None.**

47 **STAFF REPORTS: Item#1-TBPJO- Power House Operations:** Mr. Guidry

48 stated that the Interim Power Sales Agreement commenced on May 1, 2018 and will run

1 for no more than one year or until the Power Sales Agreement is approved by the
2 Louisiana Public Service Commission and that contract will end May 30, 2023. He
3 stated that the generation schedule for May and June will continue through July with the
4 plan to lower the reservoir to approximately 169.0' msl on August 1st for spillway repairs.
5 He continued that beyond August 1st, generation will continue until the reservoir reaches
6 a level of 168.0' msl around September 1st. He stated that Units #1 and #2 generated
7 9,322.5MWH for May and 3,437MWH up to June 18th at the time of this report. He
8 stated that total billing for the month of May was \$502,379.00. **Reservoir**
9 **Levels/Status:** He stated that the reservoir level on May 1st was 170.8' msl and was at
10 169.56' msl to-date. He stated that moving forward, plans are to generate as needed to
11 target the reservoir level at approximately 169.0' msl on August 1st for the spillway repair
12 project. **Spillway Repairs:** He stated that the spillway repair project is planned in two-
13 design packages: 1st- Underwater Soil Cement Repair which there has already been two
14 dive inspections with videos to verify the size of voids which were found to be much
15 smaller than originally reported in 2017. He stated that four bids were received to fill the
16 voids, with a low turnkey bid of \$12,500 being selected in order to proceed. He stated
17 that work will commence ASAP. He stated that Sack revetment will be stacked in voids
18 and grout will be pumped in voids behind and between the sacks to seal the voids. He
19 continued that a final dive with photos and video will be made to the satisfaction of the
20 Authorities. He stated that the second project, Main Spillway Repairs, design plans have
21 been completed and bids have been received. He stated that on May 22nd, the three bids
22 were received and were opened with Beard Construction being the apparent low bidder
23 with a bid of \$9,295,000. He stated that Freese and Nichols, consultants recommended
24 accepting the low bid; however, a protest was filed by Krebs and Farley LLC, attorneys
25 who represent Patriot Construction whose bid was the second lowest at \$9,925,960.00.
26 He stated that project will not move forward until this issue is resolved.

27 **NERC/SERC:** He stated that FERC annual dam inspection is scheduled tentatively for
28 August 22-23. He stated all compliance issues are up-to-date. Certrec Corporation
29 continues to provide support to SRA-TX and SRA-LA for NERC/SERC/ FERC
30 compliance issues. **DAM INSTRUMENTATION/RELIEF WELLS:** He stated that
31 the Power House Relief wells are working on automatic controls and the pump and motor

1 for Well #17 were replaced on April 9th. He stated that routine readings of the
2 piezometers are made to satisfy regulations and ensure the dam remains stable. He stated
3 that inclinometer readings on the spillway were made by Fugro and reviewed by Freese
4 and Nichols, which summarized that the spillway had movement similar to previous
5 years and is cyclic and attributed to seasonal temperature changes with no compromise to
6 the structural integrity of the spillway.

7 **Item #2-Shoreline:** Mr. Guidry stated that Year #3 survey of the shoreline had
8 commenced in mid-May which included the east side of Lanan on Highway #191 and
9 then going north from North Toledo Bend State Park to the State Line. He continued that
10 the next point of survey was from the southern point of Slaughter Creek all the way to the
11 dam. He stated that twelve encroachments were found. **Permitting:** He stated that in
12 April 2018, 13 new structures were permitted and one transfer of structures permitted.

13 **Item #3-Operational: Toledo Bend Division:** Mr. Carr stated that there were no
14 updates at this time. **Sabine Diversion Canal:** He stated that he would like to defer his
15 discussion until the time for the Diversion Canal Committee Reports.

16 **Item #4-Financial Report:** Mrs. Ferguson stated that the reports were provided
17 in the meeting packet. She stated that revenue for the month of April for Toledo Bend
18 was \$1,574,070.53; expenses were \$605,423.09 showing a profit of \$968,647.44. She
19 continued that revenue for the month of May was \$669,456.22; expenses were
20 \$876,608.91 leaving a loss of \$207,152.69. She stated that revenue for the Diversion
21 Canal Division for the month of April was \$363,159.40; expenses were \$206,652.46
22 showing a profit of \$156,506.94. She stated that for the month of May revenues were
23 \$554,915.58; expenses were \$229,127.63 showing a profit of \$325,787.95. **Mr.**
24 **Goodeaux moved, seconded by Mr. Vidrine to approve the Staff Reports as**
25 **circulated and presented. Motion carried unanimously.**

26 **PUBLIC COMMENTS:** None.

27 **OLD BUSINESS: Item #1-Approve Budget for FY'19:** Mrs. Ferguson stated
28 that the final budget was included in the meeting packet. She stated that total budgeted
29 revenue was \$17,598,500; expenses were \$20,455,543 with a gross loss of \$2,857,043.
30 She continued that the net profit would be \$3,579 which excludes non-cash items. She
31 stated that staff is requesting permission to proceed with the purchase of the new dozer
32 and trackhoe replacing the two items that had been destroyed by the storm. **Mr. Byles**

1 **moved seconded by Mr. Arbuckle to proceed with the purchase of the dozer and**
2 **trackhoe for the Diversion Canal. Motion carried unanimously. Mr. Vidrine**
3 **moved, seconded by Mrs. Scott to approve the final budget for FY'19 as circulated**
4 **and presented. Motion carried unanimously.**

5 **NEW BUSINESS: Item #1- Election of Officers:** Mr. Gibbs opened the floor
6 for nominations for Chairman. **Mr. Vidrine nominated Mr. Goodeaux which was**
7 **seconded by Mr. Cupit with nominations to cease. Motion carried unanimously.**
8 **Mr. Goodeaux elected by acclamation.** Mr. Gibbs opened the floor for nominations for
9 Vice-Chairman. **Mr. Goodeaux nominated Mr. Vidrine which was seconded by Mr.**
10 **McCormic with nominations to cease. Motion carried unanimously. Mr. Vidrine**
11 **was elected by acclamation.** Mr. Gibbs opened the floor for nominations for Secretary.
12 **Mr. Vidrine nominated Mrs. Scott seconded by Mr. Arbuckle with the nominations**
13 **to cease. Motion carried unanimously.** Mr. Gibbs congratulated all the officers which
14 will take office on July 1st.

15 **Item #2-Approve Selection of Official Journal-The Sabine Index:** Mr. Founds
16 stated that it is necessary to select an official journal that is housed within the domiciliary
17 parish for publication purposes. **Mr. Goodeaux moved, seconded by Mr. Nash to**
18 **approve the selection of the Sabine Index as the official journal for the agency.**
19 **Motion carried unanimously.**

20 **Item #3-Approve Delegation of Appointing Authority:** Mrs. Ferguson stated
21 that since we reached the end of this fiscal year, although this was done in December due
22 to the retirement of the previous Executive Director in December, this will be for the
23 future business of the agency. **Mr. Byles moved, seconded by Mr. Cupit to approve**
24 **the Executive Director-Warren Founds as the appointing authority for the agency.**
25 **Motion carried unanimously.**

26 **Item #4-Adopt Resolution for Legislative Compliance Questionnaire:** Mrs.
27 Ferguson stated this is another yearly requirement and it was circulated within the
28 meeting packet. She stated that was an error which she discovered after the mailing of
29 the packet; however, a corrected copy is prepared for review and signature. **Mr.**
30 **Goodeaux moved, seconded by Mr. Arbuckle to adopt the resolution for the**
31 **Legislative Compliance Questionnaire. Motion carried unanimously.**

1 **Item #5-Produced Water Pipeline Request:** Mrs. Ferguson stated that Mr. Paul
2 Clifton, who is a representative for the company, is present if there are any questions.
3 She stated that the pipeline will be bored under the reservoir and all the necessary
4 requirements for FERC have been met. She stated that staff prepared an easement with
5 Produced Water for \$350 per rod and there are 14.4 rods. **Mr. Vidrine moved,**
6 **seconded by Mr. Cupit to approve the pipeline easement with Produced Water.**
7 **Motion carried unanimously.**

8 **COMMITTEE REPORTS:**

9 **1) Diversion Canal:** In the absence of Mr. Foret who is chairman of the
10 Committee, Mr. Vidrine stated that the Committee had met in Sulphur on June
11 26th to discuss a new Capital Improvement Plan and the Committee recommends
12 issuing bonds for a much needed capital improvement project and allow staff to
13 work with bond counsel, engineers, and a financial advisor to determine
14 specifically which projects will be funded and to have bond counsel bring a
15 recommendation back for the full board at the July meeting . Mr. Carr explained
16 to the Board that the proposed updates needed at the Diversion Canal would
17 improve the canal system’s ability to deliver water to the industrial and
18 agricultural customers in the area. He stated that staff had prepared a handout
19 explaining the suggested improvements as well as the capability of funding these
20 upgrades. **Mr. Vidrine moved, seconded by Mr. Cupit to allow staff to work**
21 **with bond counsel, engineers and a financial advisor to determine whether**
22 **issuing bonds for a Capital Improvement Project at the Diversion Canal is**
23 **feasible. Motion carried unanimously.**

24 **2) Parks:** No meeting.

25 **3) Leaseback:** No meeting.

26 **4) Finance:** Mr. McCormic stated that the Committee had on April 26th 2018
27 and the minutes were included in the packet. He asked if there were any
28 corrections, if not **Mr. McCormic moved, seconded by Mr. Cupit seconded to**
29 **approve the minutes of the Finance Committee Meeting on April 26th 2018 as**
30 **circulated. Motion carried.**

31 **5) Water Sales:** No meeting.

32 **6) Fishery & Lake Management:** No meeting.

33 **7) TBPJO:** Mr. Goodeaux stated that the Board had met on June 12th and he had
34 been elected to serve as chairman. He stated that bids had been received for the
35 pending project at the dam which Mr. Founds is going to give you the report. He

1 stated that he and Mr. Vidrine had asked several questions concerning the issues
2 at hand. Mr. Founds stated that after the bids were received and opened, one of
3 the contractors who had made a bid for the job, had their legal counsel to file a
4 protest of awarding the bid. He stated that since the spillway is actually in
5 Louisiana, and the job requires a Louisiana Contractor's license, it was
6 determined to use legal counsel from Louisiana that understands the Bid Laws of
7 the state. He stated that our legal counsel has been notified and will be trying to
8 resolve this matter soon as possible so that the project can move forward as
9 scheduled. He stated that the Joint Board would have a meeting once legal
10 counsel has determined where the agencies stand and how to proceed. Mr. Gibbs
11 asked for a motion to approve all the Committee Reports. **Mr. Arbuckle moved,**
12 **seconded by Mrs. Scott to approve all Committee Reports as presented.**
13 **Motion carried unanimously.**

14 **LEGAL REPORT:** Mr. Founds stated that Item #1 Marko lawsuit relative to
15 the March 2016 event is still moving forward in our favor, but has not been resolved and
16 probably would continue into 2019. He stated that Item #2- Capital Properties and #3 –
17 Deloutre Property suits are almost resolved. He stated these cases involved some
18 leaseback issues concerning the inclusion of these properties within the project boundary.
19 He stated that all legal issues with FERC have been resolved and these individual
20 companies have been asked to drop their suits.

21 **EXECUTIVE DIRECTOR'S REPORT:** Mr. Founds stated that he had
22 prepared a copy for each member of a report of the Water Resource Commission which is
23 a committee that is studying possible out-of-state water sales. He stated that it has come
24 down to water sales out of Toledo Bend Reservoir as being the most likely source for an
25 out-of-state sale. He stated that it might provide some interesting reading for the Board.
26 **Mr. Arbuckle moved, seconded by Mrs. Scott to approve the Legal and Executive**
27 **Director's reports as presented. Motion carried unanimously.**

28 Mr. Gibbs stated that the next meeting would be moved to Tuesday, July 24th,
29 2018 at 1:00pm at the Pendleton Bridge Office 15091 Texas Highway Many, Louisiana
30 in order to accommodate the bonding counsel to be present to make a recommendation
31 concerning the issuance of bonds for the Diversion Canal Capital Improvement Plan-

1 Phase II. **Mr. Vidrine moved, seconded by Mr. Nash to approve changing the date of**
2 **the Thursday July 26th meeting to Tuesday July 24th. Motion carried unanimously.**

3 With no further business to discuss, Mr. Gibbs asked for a motion to adjourn.

4 **Mr. Cupit moved, seconded by Mrs. Scott to adjourn. Motion carried unanimously.**

5 **Meeting adjourned at 1:56p.m.**

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BYRON GIBBS, CHAIRMAN

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STANLEY VIDRINE, VICE-CHAIRMAN

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18 **ATTEST:** _____
19 **ESTELLA SCOTT, SECRETARY**